

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RONALD BERNARD JONES,

Defendant-Appellant.

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UNPUBLISHED

August 26, 1997

No. 196479

Washtenaw Circuit Court

LC No. 93-001617-FC

Before: Sawyer, P.J., and Bandstra and E. A. Quinnell\*, JJ.

MEMORANDUM.

Pursuant to a plea bargain, by virtue of which original charges of armed robbery were dismissed, defendant pled nolo contendere to assault with intent to rob while armed, and received a probationary sentence. He twice violated probation, however, and the second time was sentenced to four to ten years' imprisonment, generating the present appeal of right. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant contends that his sentence is disproportionate to the offense and the offender. Sentences imposed on probation violators are reviewed on appeal only for abuse of sentencing discretion; the sentence guidelines are wholly irrelevant. *People v Williams*, 223 Mich App \_\_\_\_ (Docket No. 194996, released May 13, 1997). Given the gravity of the underlying offense, which is still a capital crime despite defendant's plea bargain, a four- to ten-year sentence does not represent an abuse of sentencing discretion.

Affirmed.

/s/ David H. Sawyer

/s/ Richard A. Bandstra

/s/ Edward A. Quinnell

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\* Circuit judge, sitting on the Court of Appeals by assignment.